

# MISSOURI BOARD OF PHARMACY NEWSLETTER



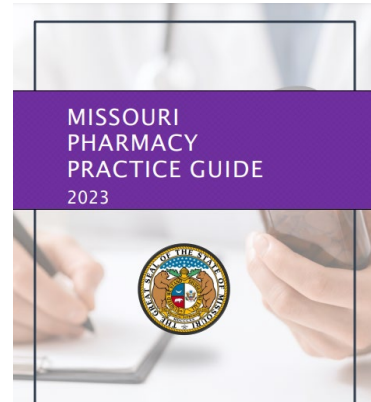
FEBRUARY 2023

## 2023 Missouri Pharmacy Practice Guide

The revised 2023 Missouri Pharmacy Practice Guide is now available on the Board's [website](#). The 2023 Practice Guide contains updated compliance tips and information on recent statutory/rule changes, including, new/revised sections on:

1. Pharmacy Working Conditions
2. Technician Supervision & Expanded Technician Activities
3. Electronic Final Product Verification (Pharmacists)
4. Technology-Assisted Product Verification (Interns & Technicians), &
5. Quality Assurance

[Download](#) a copy of the 2023 Pharmacy Practice Guide today to learn about recent revisions/updates that may impact you. A complimentary copy of the 2023 Pharmacy Practice Guide will be mailed to all Missouri-located pharmacies in February.




## New Year, New Checkup

The new year is a great time to do a pharmacy compliance “check-up.” The [Pharmacy Self-Assessment Guide](#) is a free, online tool that can be used to help assess pharmacy compliance. The [Self-Assessment Guide](#) was revised in October 2022 to match recent rule revisions. The Board has approved two (2) hours of pharmacy continuing education (CE) credit for Missouri licensed pharmacists serving as a pharmacy manager, owner, supervisor, corporate officer or the pharmacist-in-charge who complete the self-assessment.

## Technician Immunization Assessments

Pharmacy technicians immunizing under the Board’s statutes/rules must complete an initial and annual documented competency assessment. Licensee’s asked the Board to provide additional guidance on the required assessment. As requested, a sample [Technician Immunization Assessment Checklist](#) template is now available on the Board’s website. The template is intended for guidance purposes only to assist licensees. Licensees should modify the template or use another assessment tool, as appropriate for your practice setting. *Note: Additional federal requirements may apply to technicians immunizing under federal authorization that are not included in the Immunization Assessment template. Check federal law for compliance.*

 **MISSOURI BOARD OF PHARMACY**  
SAMPLE Pharmacy Technician  
Immunization Competency Assessment Checklist

Technician Name: \_\_\_\_\_  
Assessment Date: \_\_\_\_\_  
Name of Evaluator: \_\_\_\_\_

(Additional federal requirements may apply for federally authorized immunizations)

Training/Protocols	Pass	Fail	N/A
1. Holds an active pharmacy technician certification.			
2. Assisted in the practice of pharmacy as a registered technician for at least one year (in Missouri or another U.S. state or territory).			
3. Current provider level CPR or BLS certification (with live in-person skills assessment).			
4. Completed certificate program in administering vaccines (must be provided by an ACPE or regionally accredited pharmacy or medical school/college or pre-approved by the Board of Pharmacy).			
5. Correctly identifies what vaccines can be given by protocol.			
6. Understands need to report any needle-stick injury to pharmacist.			
7. Correctly identifies location of epinephrine, its administration technique, & situations where its use would be indicated.			
<small>*Correctly identifies emergency procedures in the event of an adverse</small>			



## Technician Registrations

Section 338.013, RSMo, provides that all individuals who assist a pharmacist with the practice of pharmacy must be registered with the Board as a pharmacy technician. Section O of the revised 2023 [Missouri Pharmacy Practice Guide](#) contains the following additional guidance:

*Pursuant to the statutory/rule definitions, anyone involved in the handling of a filled prescription that is not ready for sale or delivery to the patient without further packaging, bagging, or manipulation must be registered as a technician, regardless of actual job title. Cashiers or delivery staff handling a filled prescription (patient vial/container, unit of use package, bubble card, etc.) that is not packaged/bagged for final sale or delivery to the patient are required to be registered as a technician.*

Some examples requiring registration include:

1. A cashier bagging a filled prescription for sale/dispensing to the patient
2. A cashier removing a filled, unbagged prescription vial from a will call pouch at the time of sale
3. A clerk placing a filled, unbagged prescription vial into a will call pouch
4. A clerk handling a filled, unbagged prescription vial while preparing it for mail out, and
5. A clerk or delivery driver handling a filled, unbagged prescription vial or bubble card while preparing it for delivery.

## What's The Temperature?

Temperatures in drug storage areas must be recorded and reviewed at least once every day the pharmacy is in operation ([20 CSR 2220-2.010\(2\)\(A\)](#)). This includes all rooms, areas, refrigerators, or freezers where drugs are stored.

In lieu of daily temperature recordings/reviews, pharmacies may use a continuous temperature monitoring system that complies with see [20 CSR 2220-2.010\(2\)\(A\)](#) and alerts a pharmacist when temperatures are outside of the required range and provides the amount of variance. A continuous temperature monitoring system is optional and is not required if the pharmacy otherwise records and reviews medication storage area temperatures daily.

Temperature reviews may be delegated to pharmacy staff, however, staff should be trained on what the appropriate temperature(s) are and what to do if a temperature reading is out of range.

Temperature documentation records must be maintained in the pharmacy's records for two (2) years (manual, electronic or ongoing recordings). The Board recommends that licensees also document temperature alerts/excursions and any corrective action taken by the pharmacy.



## Inactive Physicians

Licensees have asked the Board about filling prescriptions from an inactive Missouri physician. The Board has confirmed with the Missouri Board of Registration for the Healing Arts that physicians with a valid inactive Missouri physician license are authorized to prescribe non-controlled medication for themselves or immediate family members, as referenced in [§ 334.002](#) which provides:

1. Notwithstanding any law to the contrary, any person licensed pursuant to this chapter [Chapter 334] may apply to the state board of registration for the healing arts for an inactive license status on a form furnished by the board. . . *A person whose license is inactive or who has discontinued his or her practice because of retirement shall not practice his or her profession within this state, but shall be allowed to practice his or her profession on himself or herself or on his or her immediate family, however, such person shall not be allowed to prescribe controlled substances.* Such person may continue to use the title of his or her profession or the initials of his or her profession after such person's name.

The above provision only applies to individuals with an inactive Missouri physician license. [Section 334.002](#) does not apply to individuals with an inactive physician license issued by another state.

## On The Agenda...

The Board will continue its review of Missouri's rules/statutes in 2023 to streamline Missouri regulation and implement standards of practice. Topics on the Board's 2023 discussion list include:

- Pharmacy working conditions
- Pharmacist prescription adjustments for effective patient care
- Automated dispensing systems (health care facilities & ambulatory care)
- Pharmacist clinical services (e.g., point-of-care testing, test-to-treat)
- Review of technician authorized duties
- Patient counseling requirements/allowances
- Standards of practice regulation

Want to be involved? Monitor the Board's website for [meeting information](#) and virtual attendance options. Upcoming 2023 meetings are scheduled on:

- February 15, 2023
- March 15, 2023
- April 12-13, 2023
- May 17, 2023
- June 14, 2023
- July 12-13, 2023



## GOLD CERTIFICATES

Congratulations to our newest “gold certificate” pharmacists who have maintained a Missouri pharmacist license for 50 years:

David	Allen
Sara H.	Bagby
Ronald L.	Bashor
Richard E.	Cowan
Brenda J.	Denton
Mary R.	Grear
Paul E.	Hendricks
Frank J.	Hollenback
Sam L.	Mahoney
George W.	Mcconnell
Thomas L.	Meyer

Patricia J.	Middeke
Pamela J.	Mitchell
John W.	Morgan
Lynn A.	Morris
Paula R.	Post
Margaret A.	Sgritta
John E.	Sherwood
Jane S.	Tennis
Dana E.	Wilcox
Clarence R.	Wooderson

### STOP HUMAN TRAFFICKING!

January was Human Trafficking Prevention Month. Learn more about how you can help prevent and respond to human trafficking. A free, [online training program](#) is available on the U.S. Dept. of Health and Human Services' website for individuals in health care. The SOAR (Stop, Observe, Ask, and Respond) Health and Wellness [training program](#) is ACPE accredited for 1.0 pharmacy CE hours (0.1 CEUs)



### UPCOMING “LUNCH WITH THE CHIEF” INSPECTOR WEBINARS

- [April 20, 2023](#) – Pharmacy Technician Update
- [May 16, 2023](#) – Drug Distributor/3PL Compliance Update

*\*\*Webinars are approved for free Missouri pharmacist continuing education (CE).*



## DISCIPLINARY ACTIONS

### DRUG DISTRIBUTORS

**Advanced Accelerator Applications USA Inc., #2022003970**– Milburn, NJ. Two (2) years probation. Operated on an expired license; distributed drugs to Missouri hospitals without a current drug distributor license, and failed to timely notify the Board of a Manager-in-Charge change. Section 324.038.1 RSMo.

**CoxHealth at Home., #901240**, Springfield, MO. Public Censure. Failed to renew permit and distributed 312 oxygen cylinders prior to renewing the permit. Section 338.055.2 (5), (6), (10), (12), (13), and (15), RSMo.

**Young Dental Manufacturing Company, #900379, Earth City, MO.** Public Censure. Failed to renew permit and failed to timely update the Manager-in-Charge (MIC) prior to renewing the permit. Section 338.055.2 (5), (6), (10), (12), (13), and (15), RSMo.

### INTERN PHARMACISTS

**Ohnesorge, Jennifer A, #2019046188**, Jefferson City, MO. Voluntary surrender, cannot reapply for five (5) years. Forged a CDC Covid-19 vaccination card and presented it to her school and employer. Section 338.055.2 (4), (5), and (13), RSMo.

### PHARMACIES

**CVS Pharmacy #3087**, Creve Coeur, MO. Public Censure. Routine inspection revealed the pharmacy operated without a Pharmacist-In-Charge (PIC) for 51 days and the Controlled Substance inventory was not conducted when the previous PIC left. 338.055.2 (5), (6), and (13) RSMo.

**Olive Street Pharmacy LLC, #2014007572**, Creve Coeur, MO. Probation until October 21, 2026. Pharmacy entered into a settlement agreement with the United States of America and the State of Missouri for unlawful dispensing of controlled substances and invalid claims submission to the Medicaid and Medicare programs. Section 338.055.2 (5), (13), and (15) RSMo.

**Pharmscript of KS LLC., #2019039721**, Lenexa, KS. Probation for three (3) years. Dispensed Scheduled III, IV, and V controlled substances on chart orders without a written or electronic prescription from a prescriber or verbal authorization from the prescriber. Dispensed Scheduled II controlled Substances using blank prescriptions signed by the prescriber that the Pharmacy staff completed at time of dispensing. Section 338.055.2 (5), (6), (13), and (15) RSMo.

**Pillpack by Amazon Pharmacy, #2018043786** – Manchester, NH –Public censure. Pharmacy entered into a Stipulated Settlement with the Southern District of New York for filing false claims to Medicare and Medicaid seeking reimbursement for insulin pens dispensed to patients that exceeded the amounts prescribed. Section 338.055.2 (5) and (13) RSMo

**Raven Pharmacy, #2022022096**– Mount Pleasant, SC. Probation for two (2) years. Shipped prescriptions into Missouri prior to obtaining a Missouri pharmacy permit. Section 338.055.2(6) RSMo.no





**Walgreens #04466, #006438**, St. Joseph, MO. Eighteen (18) months probation. Violated previous disciplinary order. Section 338.055.3 RSMo.

**Walgreens #05278, #2000157695**, Kansas City, MO. Probation for two (2) years. Violated previous disciplinary order. Multiple Controlled Substance losses, and failed to maintain records. Section 338.055.3 RSMo.

**Walgreens #07551, #2003014789**, St. Joseph, MO. Eighteen (18) Month Probation. Violated previous disciplinary order. Section 338.055.3 RSMo.

**Wells Pharmacy Network LLC, #20120409363**, Ocala, FL. Probation for three (3) years. Violated previous disciplinary order. Failed to submit regulatory inspections within 30-days during the probation period. Compounded essential copies of FDA-approved, commercially available products for Missouri patients without a documented patient need in the prescription record. 338.055.3 RSMo.

## **PHARMACISTS**

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**Morris (Wilborn), Sherria R., #2007031817** –O’Fallon, IL. 30-day suspension followed by six (6) month probation. As pharmacist, failure to provide documentation and to maintain records demonstrating completion of required continuing education hours. Upon receipt of \$500 fee and proof of the 5.75 hours of Continuing Education suspension will end and probation period will begin. Section 338.055.2(3), (5), and (6), RSMo.

**Patrick R. Wehmeier, #2007027808**, Santa Barbara, CA. Voluntary surrender, cannot reapply for seven (7) years. Violated previous disciplinary order. Section 338.055.3